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Atty. Docket No.: 030096A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kieko MORITA

Confirmation No.: 5419

Serial Number: 10/665,117

Group Art Unit: 1616

Filed: September 22, 2003

Examiner: JONES, DAMERON LEVEST

For: DIAGNOSIS AND TREATMENT OF DISORDERS USING AN ALTERNATIVE
GLUCOSE PATHWAY

RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 27, 2004

Sir:

This paper is submitted in response to the Official Action dated April 27, 2004.

Applicant hereby elects **Group (VIII)**, claims 26-27, for prosecution in the present application, and provisionally elects **cortisol** as the biological marker for initial prosecution.

Further, the restriction requirement is respectfully traversed, in particular as it applies to group VI and group VIII. It is submitted that the features of these corresponding claims are so interrelated as to constitute the same invention. In addition, the features of the present claims would not constitute an undue burden on the Examiner's search.

In view of the above, it is submitted that the restriction requirement should be withdrawn.

Also, Applicant retains the right to file divisional applications for non-elected species.

Next, Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.